

## STATEMENT OF BASIS (AI No. 97199)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0115924 to discharge to waters of the State of Louisiana.

**THE APPLICANT IS:** C & M Marine Ventures, LLC  
P.O. Box 40  
Brittany, LA 70718

**ISSUING OFFICE:** Louisiana Department of Environmental Quality (LDEQ)  
Office of Environmental Services  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

**PREPARED BY:** Yvonne Baker

**DATE PREPARED:** February 1, 2007

### 1. PERMIT STATUS

#### A. Reason For Permit Action:

Permit reissuance of an Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. NPDES permit - NPDES permit effective date: N/A  
NPDES permit expiration date: N/A  
EPA has not retained enforcement authority.

C. LPDES permits - LA0115924  
LPDES permit effective date: August 1, 2002  
LPDES permit expiration date: July 31, 2007

D. Date Application Received: December 28, 2006

### 2. FACILITY INFORMATION

#### A. FACILITY TYPE/ACTIVITY - barge and ship cleaning and repair facility

C&M Marine Ventures, LLC cleans and repairs open top barges and ships containing grain, limestone, rock, meal products, scrap steel, fertilizers, urea, potash, ammonium nitrate, sugar, wood chips, sand, paper, salt, barite, magnesium oxide, cement, iron ore, coke, coal and bauxite. All solids are removed before the facility receives the barges and ships. The barges and ships are cleaned by spraying river water inside the vessels starting at one end and pumped overboard from the opposite end.

#### B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II
3. Wastewater Type: II
4. SIC code: 4499 and 3731

C. LOCATION - operating between Mississippi River Mile Markers 45 through 235, Plaquemines, St. Bernard, Orleans, Jefferson, St. Charles, St. John the Baptist, St. James, Ascension, Iberville, East Baton Rouge, and West Baton Rouge Parishes.

**based at:** LA Highway 44 in Reserve, Mississippi River Mile Marker 139,  
Latitude 30° 03' 17", Longitude 90° 33' 47"

### 3. OUTFALL INFORMATION

#### Outfall 001

Discharge Type: dry commodity barge and ship washwater

Treatment: none

Location: at the point of discharge from the barge or ship being washed prior to mixing with waters of  
the state

Flow: intermittent

Discharge Route: to the Mississippi River

#### Outfall 002

Discharge Type: coal and coke barge and ship washwater

Treatment: none

Location: at the point of discharge from the barge or ship being washed prior to mixing with waters of  
the state

Flow: intermittent

Discharge Route: to the Mississippi River

#### Outfall 03A

Discharge Type: incoming ballast water from customer barges and ships

Treatment: none

Location: at the point of discharge from the customer barge or ship prior to mixing with waters of the  
state

Flow: intermittent

Discharge Route: to the Mississippi River

#### Outfall 03B

Discharge Type: maintenance ballast and void water from work, treatment, spar, or office barges

Treatment: none

Location: at the point of discharge from the appropriate barge prior to mixing with waters of the state

Flow: intermittent

Discharge Route: to the Mississippi River

### 4. RECEIVING WATERS

STREAM - the Mississippi River

BASIN AND SEGMENT - Mississippi River Basin, Segment 070301

DESIGNATED USES - a. primary contact recreation  
b. secondary contact recreation  
c. propagation of fish and wildlife  
d. drinking water supply

## 5. TMDL STATUS

The discharges from C&M Marine Ventures, LLC are to the Mississippi River, Subsegment 070301 of the Mississippi River Basin. Subsegment 070301 is not listed on LDEQ's Final 2004 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

## 6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

There were no changes from the previously modified permit.

## 7. COMPLIANCE HISTORY/COMMENTS

1. WQMD: There are no open, appealed, or pending OEC enforcement actions as of March 19, 2007.
2. DMR Review: A DMR review of years 2005 and 2006 noted no excursions in permitted limits. All the DMRs stated No Discharge. 69 of 72 DMRs were on file at LDEQ.

## 8. EXISTING EFFLUENT LIMITS

**Outfall 001:** dry commodity barge and ship washwater

Based on BPJ and on permits for similar facilities, no effluent limitations are established for washwaters from barges and ships previously containing dry commodities including: grain, limestone, rock, meal products, scrap steel, fertilizers, urea, potash, ammonium nitrate, sugar, wood chips, sand, paper, salt, barite, magnesium oxide, cement, iron ore, and bauxite. Best Management Practices (BMPs) for barge operations are listed in Part II.

**Outfall 002:** coal and coke barge and ship washwater

Pollutant	Monthly Average	Daily Maximum	Frequency
Flow	Report	Report	1/week
TSS	Report	Report	1/month
COD	250 mg/L	400 mg/L	1/week
pH Min/Max Values	6.0 (min)	9.0 (max)	1/week

**Outfall 03A:** incoming ballast water from customer barges and ships

**Outfall 03B:** maintenance ballast and void water from work, treatment, spar, or office barges

Pollutant	Monthly Average	Daily Maximum	Frequency
Flow	Report	Report	1/week
COD	---	250 mg/L	1/week
Oil & Grease	---	15 mg/L	1/week
pH Min/Max Values	6.0 (min)	9.0 (max)	1/week

Sampling for Outfall 03B is only required if a visible oil sheen is present.

The measurement frequency for Outfall 03B for the discharge of maintenance ballast water shall be 1/month whenever sampling is required instead of 1/week as stated above.

## **9. ENDANGERED SPECIES**

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon and migratory waterfowl, which are listed as an endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated September 29, 2006 from Watson (FWS) to Brown (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon and migratory waterfowl. Effluent limitations are established in the permit to ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. The more stringent of technology and water quality based limits (as applicable) have been applied to ensure maximum protection of the receiving water.

## **10. HISTORIC SITES**

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

## **11. TENTATIVE DETERMINATION**

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

## **12. PUBLIC NOTICES**

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

**Rationale for C & M Marine Ventures, LLC**

1. **Outfall 001:** dry commodity barge and ship washwater

Based on BPJ and on permits for similar facilities, no effluent limitations are established for washwaters from barges and ships previously containing dry commodities including: Grain, Limestone, Rock, Meal Products, Scrap Steel, Fertilizers, Urea, Potash, Ammonium Nitrate, Sugar, Wood Chips, Sand, Paper, Salt, Barite, Magnesium Oxide, Cement, Iron Ore, and Bauxite. Best Management Practices (BMPs) for barge and ship operations are listed in Part II.

2. **Outfall 002:** coal and coke barge and ship washwater

<u>Pollutant</u>	<u>Limitation</u> Mthly Avg:Daily Max (mg/l)	<u>Reference</u>
Flow-MGD	Report:Report	LAC 33:IX.2701.I.1.b
COD	250:400	Similar Discharges; BPJ
TSS	Report:Report	Similar Discharges; BPJ
pH	6.0 - 9.0 s.u.	Similar Discharges; BPJ

BPJ Best Professional Judgment

**Treatment:** none

**Monitoring Frequency:** TSS shall be observed once per month and Flow, COD and pH shall be observed once per week at the point of discharge from the barge or ship being washed.

**Limits Justification:** Limits and Monitoring Frequency are based on current guidance for similar discharges from other facilities.

3. **Outfall 03A:** incoming ballast water from customer barges and ships  
**Outfall 03B:** maintenance ballast and void water from work, treatment, spar, or office barges

<u>Pollutant</u>	<u>Limitation</u> Mthly Avg:Daily Max (mg/l)	<u>Reference</u>
Flow-MGD	Report:Report	LAC 33:IX.2701.I.1.b
COD	---:250	Similar Discharges; BPJ
Oil and Grease	---:15	Similar Discharges; BPJ
pH	6.0 - 9.0 s.u.	Similar Discharges; BPJ

BPJ Best Professional Judgment

**Treatment:** none

**Monitoring Frequency:** Flow, COD, Oil & Grease and pH shall be observed once per week at the point of discharge from the incoming customer barge or ship.

\*The measurement frequency for Outfall 03B for the discharge of maintenance ballast and void water shall be 1/month whenever sampling is required.

**Limits Justification:** Limits and Monitoring Frequency are based on current guidance for similar discharges from other facilities.

This facility is not subject to Effluent Limitations Guidelines for Transportation Equipment Cleaning, 40 CFR Part 442, because, in accordance with 40 CFR 442.1.a, "this part applies to discharges resulting from cleaning the interior of tanks used to transport chemical, petroleum or food grade cargos." This facility does not clean tanks. Only open top hopper barges and ships are cleaned.

#### Storm Water Pollution Prevention Plan (SWP3) Requirement

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1.b, stormwater discharges that are associated with industrial activity shall be monitored. In accordance with LAC 33:IX.2511.B.14, SIC codes 3731 and 4491 are considered to be associated with industrial activity. However, an SWP3 is not included in the permit because the facility is a water related operation only. Barge BMPs are comparable to the SWP3 requirements; therefore, the barge BMPs will be applied instead.